

TIGARD CITY COUNCIL
MEETING

May 28, 2002 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, Ext. 309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, x309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
May 28, 2002

6:30 PM

- STUDY SESSION

- The Tigard City Council will go into Executive Session to discuss Current and Pending Litigation under ORS 192.660(1) (h). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING
 - 1.1 Call to Order - City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items

2. VISITOR'S AGENDA (Two Minutes or Less, Please)

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
 - 3.1 Approve Council Minutes: May 6 and 14, 2002
 - 3.2 Dedicate the Kristine Ann Tupling Butterfly Garden at Cook Park – Resolution No. 02 - _____
 - 3.3 Amend the Washington County Cooperative Library Service Public Library Agreement
 - 3.4 Amend the Washington County Inter-Library Information Network Agreement
 - 3.5 Local Contract Review Board: Award Contract for the Construction of Bonita Road Sanitary Sewer Improvements

- Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.

4. PUBLIC HEARING (LEGISLATIVE) – PLANNED DEVELOPMENT DENSITY BONUS LIMITATION AMENDMENT (ZOA 2002-00001)

The Tigard City Council will consider a request to amend the Planned Development requirements within the Tigard Development Code to limit the ability to grant density bonuses for areas constrained by sensitive lands (steep slopes greater than 25%, wetlands, drainageways, or 100-year floodplain). The amendment request is based on the present ability to seek density bonuses for preserving trees or open space in these constrained and otherwise undeveloped areas. LOCATION: Citywide. ZONE: N/A. APPLICABLE REVIEW CRITERIA: Statewide Planning Goals 1, 2, 5 and 10; and Community Development Code Chapters 18.350, 18.380, 18.390 and 18.790.

- Open Public Hearing
- Summation by Community Development Department
- Public Testimony
- Staff Recommendation
- Council Discussion
- Close Public Hearing
- Consideration by Council: Ordinance No. 02 - _____

5. PUBLIC HEARING (QUASI-JUDICIAL) – 68TH PARKWAY AT ATLANTA PUBLIC RIGHT OF WAY VACATION (VAC2002-00001)

The Tigard City Council will consider a proposed vacation involving a portion of public right-of-way on the corner of SW 68th Parkway at SW Atlanta Street and consolidate into tax lot 1S136DD, 00900. The purpose of the request is to allow the adjoining property to the west to develop according to the Tigard Triangle development standards. According to the development standards of the Tigard Triangle, a building must be located within 10 feet of a public right-of-way. The configuration of the existing right-of-way creates a buffer between the property and SW 68th Parkway, which would not allow the adjoining property to meet the setback criteria without a variance. A public storm line lies within the northeast corner of the public right-of-way to be vacated. A public storm water

easement will be granted to the City of Tigard concurrently with the right-of-way vacation, that will encompass approximately 7.5 feet on each side of the existing stormpipe. The location of the portion of the vacation request is the section of SW 68th Parkway public right-of-way which lies southeast of SW Atlanta Street.

The request was filed with the City on February 15, 2002 and initiated by the City Council at the request of the applicant on March 26, 2002. Any interested person may appear and be heard for or against the proposed vacation of said 68th Parkway at Atlanta Street Public Right-of-Way Vacation. Any written objections or remonstrances shall be filed with the City Recorder by 7:30 PM on May 28, 2002.

- a. Open Public Hearing
- b. Declarations or Challenges
- c. Staff Report: Community Development Department
- d. Public Testimony
 - Proponents
 - Opponents
 - Rebuttal
- e. Staff Recommendation
- f. Council Questions
- g. Close Public Hearing
- h. Council Consideration: Ordinance No. 02 - _____

6. PUBLIC HEARING (QUASI-JUDICIAL) – DARTMOUTH STREET AT 69TH AVENUE PUBLIC RIGHT OF WAY VACATION (VAC2001-00003)

The Tigard City Council will consider a proposed vacation of public right-of-way involving a 1,181.6 square foot portion of public right-of-way on SW Dartmouth Street, west of SW 69th Avenue. The purpose of the request is to allow the adjoining property to the south to install a permanent monument sign in the vacated right-of-way. The location of the area to be vacated is the portion of SW Dartmouth Street public right-of-way from SW 69th Avenue to SW 70th Avenue.

The request was filed with the City on February 22, 2002 and initiated by the City Council at the request of the applicant on April 9, 2002. Any interested person may appear and be heard for or against the proposed vacation of said Dartmouth Street at 69th Avenue Public Right-of-Way Vacation. Any written objections or remonstrances shall be filed with the City Recorder by 7:30 PM on May 28, 2002.

- a. Open Public Hearing
 - b. Declarations or Challenges
 - c. Staff Report: Community Development Department
 - d. Public Testimony
 - Proponents
 - Opponents
 - Rebuttal
 - e. Staff Recommendation
 - f. Council Questions
 - g. Close Public Hearing
 - h. Council Consideration: Ordinance No. 02 - _____
7. CONSIDER ORDINANCE AMENDING ORDINANCE NO. 96-09 EXHIBIT "A" (PURCHASING RULES) TO ALLOW DESIGN/BUILD OR CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC) CONTRACTS
- a. Staff Report: Finance Staff
 - b. Council Discussion
 - c. Council Consideration: Ordinance No. 02 - _____
8. CONSIDER ORDINANCE UPDATING TITLE 15.04, STREETS AND ALLEY EXCAVATIONS, OF THE TIGARD MUNICIPAL CODE
- a. Staff Report: Engineering Staff
 - b. Council Discussion
 - c. Council Consideration: Ordinance No. 02 - _____
9. COUNCIL LIAISON REPORTS
10. NON AGENDA ITEMS

11. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

12. ADJOURNMENT

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